

Applicants respectfully traverse the rejection of claims 1 and 2 at least for the reason that the histograms of the present invention are based on motion compensation information, while the conceptually different histograms of Ratakonda are based on color values.

With regards to the ‘histogram’ feature, the Examiner argues that Applicants’ histogram based on information on motion compensation is disclosed by a “careful reading” of columns 17 and 18, and in particular column 17, lines 5-16, and column 18, lines 19-32. The Examiner further states that it was well known that motion compensated frames are also known as P and B frames (citing column 14, lines 34-41). As such, the Examiner alleges that the current invention “boils down” to creating a histogram of P and B frames similar to the disclosure of Ratakonda.

Applicants again respectfully point out to the Examiner that the histograms of Ratakonda are based on colors. In detail, Ratakonda calculates a 256-bin Y-histogram and two 128-bin U and V histograms, or a simple 256-bin Y-histogram in order to determine shot boundaries of digital video sequence. Accordingly, the histograms of Ratakonda represent frequencies of each value Y, U, and V components (or the Y component only) (see col. 12, lines 51-57 and col. 18, lines 19-31). However, histograms of the present invention represent motion intensities of a video stream using motion compensation information included in the video stream. As a result, the histograms of the present invention are quite different than that suggested by Ratakonda.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No. 09/497,522

Attorney Docket No. Q53231

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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